

BSE AND VETERINARY MEDICINES

The CVO by his minute of 13 June, appended to Dr Little's of 10 June, asked me to liaise with you to seek a provision which could be used to prevent veterinary surgeons administering gonadotrophin derived from pituitary glands they had collected at abattoirs.

Mr Wilkes's conclusion in his minute of 13 June was that animal health legislation might be used to achieve this and the CVO had asked if the Miscellaneous Provisions Order could be used for this purpose. As I understand the latter, Article 2 thereof enables matters or things prohibited by order to be authorised by licence but it does not enable matters or things to be prohibited and so does not help us with this problem. No other animal health legislation which might be employed for this purpose comes to mind but, as I suggested in my minute of 13 June, Legal Branch might be able to offer helpful advice. It may be that Dr Little has already approached them but, if not, I should be obliged if Mr Lawrence would.

If Legal cannot provide a solution, we could seek voluntary compliance by veterinary surgeons and, in so doing, it might be legitimate for us to point out that if, contrary to our advice, they used this product on a client's cattle they could be vulnerable to a claim for negligence if BSE subsequently developed in any of the animals treated.

D Kyle

D KYLE
14 June 1988

Dr Little
Mr Wilkes
Mr Lawrence

cc CVO
Mr K Taylor
Mr Cross
Dr Watson
Mr Wilesmith
Mr Bradley
Mr Kidd
Dr Thornton

in minute of 13 June 1988
miss Gerrish pt. no. 002771
Mr Chapman
This presumably links with the case!
for 20/6